

On August 31, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**6803. Adulteration and misbranding of oil of sweet birch. U. S. \* \* \* v. 4 Cans \* \* \* of Oil of Sweet Birch. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 9180. I. S. No. 6401-r. S. No. C-943.)

On August 1, 1918, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 packages, each containing approximately 54½ pounds of oil of birch, consigned on July 13, 1918, by J. B. Johnson, Hickory, N. C., remaining unsold in the original unbroken packages at Cincinnati, Ohio, alleging that the article had been shipped and transported from the State of North Carolina into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Examination of a sample of the product by the Bureau of Chemistry of this department showed that it consisted in whole or in part of synthetic methyl salicylate.

Adulteration of the article was alleged in the libel for the reason that synthetic methyl salicylate had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for pure oil of birch, which the article purported to be.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, oil of sweet birch, when, in truth and in fact, it was a product consisting in part of oil of birch and largely of synthetic methyl salicylate. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, as to weight, measure, or numerical count.

On October 8, 1918, the said J. B. Johnson, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,200, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**6804. Adulteration of horse beans. U. S. \* \* \* v. 957 Bags of Horse Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 9181. I. S. No. 2204-r. S. No. W-236.)

On August 1, 1918, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 957 bags of horse beans, remaining unsold in the original unbroken packages at Ogden, Utah, alleging that the article had been shipped, on or about July 27, 1918, by P. Caldarone, Sacramento, Cal., and was en route from the State of California into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy and decomposed vegetable substance.